

Message Text

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64

ACTION IO-10

INFO OCT-01 ISO-00 AF-10 ARA-10 EA-10 EUR-12 NEA-10 RSC-01

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TO SECSTATE WASHDC IMMEDIATE 8537

INFO AMEMBASSY LONDON PRIORITY

AMEMBASSY PARIS PRIORITY

AMEMBASSY PRETORIA PRIORITY

AMCONGEN CAPETOWN PRIORITY

UNCLAS USUN 5999

CAPETOWN FOR EMBASSY

E.O. 11652: N/A

TAGS: PFOR, UNGA, WA

SUBJ: SECURITY COUNCIL: NAMIBIA

1. FOLLOWING IS TEXT OF DRAFT RES PRESENTED TO SECURITY COUNCIL MEMBERS BY MAURITANIA AT INFORMAL SC CONSULTATIONS HELD AFTERNOON DEC 16. SC PRESIDENT MCINTYRE (AUSTRALIA) PLANS FORMAL SC MEETING ON NAMIBIA MORNING DEC 17. DRAFT WILL BE TABLED AT THAT TIME. SHOULD BUSINESS NOT BE COMPLETED IN MORNING, WHICH APPEARS LIKELY, ANOTHER MEETING WILL BE SCHEDULED FOR AFTERNOON. NON-COUNCIL MEMBERS THUS FAR INSCRIBED TO SPEAK INCOUDE NIGERIA (AS CHAIRMAN APARTHEID COMITE); UPPER VOLTA (AS DEC CHAIRMAN OF AFRICAN GROUP; GUYANA (AS CHAIRMAN OF COUNCIL FOR NAMIBIA) AND REP OF SWAPO.

2. QUOTE

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DRAFT RESOLUTION ON NAMIBIA

THE SECURITY COUNCIL

RECALLING GENERAL ASSEMBLY RESOLUTION 2145 (XXI) OF 27 OCTOBER 1966 WHICH TERMINATED SOUTH AFRICA'S MANDATE OVER THE TERRITORY OF NAMIBIA AND RESOLUTION 2248(S-V)) OF 1967 WHICH ESTABLISHED A UNITED

NATIONS COUNCIL FOR NAMIBIA AS WELL AS ALL OTHER SUBSEQUENT RESOLUTIONS ON NAMIBIA, IN PARTICULAR RESOLUTION 3295 (XXIX) OF DECEMBER 13, 1974;

RECALLING SECURITY COUNCIL RESOLUTIONS 245 AND 246 (1968), RESOLUTIONS 264 AND 269 (1969); RESOLUTIONS 276, 282,283, AND 284(1970), RESOLUTIONS 300 AND 301 (1971), AND RESOLUTION 310(1972) WHICH CONFIRMED GENERAL ASSEMBLY DECISIONS;

RECALLING THE ADVISORY OPINION OF THE INTERNATIONAL COURT OF JUSTICE OF 21 JUNE 1971 THAT SOUTH AFRICA IS UNDER OBLIGATION TO WITHDRAW ITS PRESENCE FROM THE TERRITORY;

CONCERNED ABOUT SOUTH AFRICA'S CONTINUED ILLEGAL OCCUPATION OF NAMIBIA AND ITS PERSISTENT REFUSAL TO COMPLY WITH RESOLUTIONS AND DECISIONS OF THE GENERAL ASSEMBLY AND THE SECURITY COUNCIL AS WELL AS WITH THE ADVISORY OPINION OF THE INTERNATIONAL COURT OF JUSTICE OF 21 JUNE 1971;

GRAVELY CONCERNED AT SOUTH AFRICA'S BRUTAL REPRESSION OF THE NAMIBIA PEOPLE AND ITS PERSISTENT VIOLATION OF THEIR HUMAN RIGHTS AS WELL AS ITS EFFORTS TO DESTROY THE NATIONAL UNITY AND TERRITORIAL INTEGRITY OF NAMIBIA;

1. CONDEMNS THE CONTINUED ILLEGAL OCCUPATION OF THE TERRITORY OF NAMIBIA BY SOUTH AFRICA;
2. CONDEMNS THE ILLEGAL AND ARBITRARY APPLICATION BY SOUTH AFRICA OF RACIALLY DISCRIMINATORY AND REPRESSIVE LAWS AND PRACTICES IN NAMIBIA;
3. DEMANDS THAT SOUTH AFRICA MAKE A SOLEMN DECLARATION THAT IT WILL COMPLY WITH THE RESOLUTIONS AND DECISIONS OF UNCLASSIFIED

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THE UNITED NATIONS AND THE ADVISORY OPINION OF THE INTERNATIONAL COURT OF JUSTICE OF 21 JUNE 1971 IN REGARD TO NAMIBIA AS A NATION SUCH DECLARATION TO BE ADDRESSED TO THE SECURITY COUNCIL OF THE UNITED NATIONS;

4. DEMANDS THAT SOUTH AFRICA TAKE THE NECESSARY STEPS TO EFFECT THE WITHDRAWAL IN ACCORDANCE WITH RESOLUTIONS 264 AND 269 OF 1969 OF ITS ILLEGAL ADMINISTRATION MAINTAINED IN

NAMIBIA AND TO TRANSFER POWER TO THE
PEOPLE OF NAMIBIA WITH THE ASSISTANCE OF THE UNITED
NATIONS;

5. DEMANDS FURTHER THAT SOUTH AFRICA, PENDING THE TRANSFER
OF POWERS PROVIDED FOR IN THE PRECEDING PARAGRAPH TO :

(A) COMPLY FULLY IN SPIRIT AND IN PRACTICE WITH THE PROVISIONS
OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS;

(B) RELEASE ALL NAMIBIAN POLITICAL PRISONERS INCLUDING THOSE
IMPRISONED OR DETAINED IN CONNEXION WITH OFFENCES UNDER SO-
CALLED INTERNAL SECURITY LAWS, WHETHER SUCH NAMIBIANS HAVE
BEEN CHARTED OR TRIED OR ARE HELD WITHOUT CHARGE AND WHETHER
HELD IN NAMIBIA OR SOUTH AFRICA;

(C) ABOLISH THE APPLICATION IN NAMIBIA OF ALL RACIALLY DISCRIMINA-
TORY AND POLITICALLY REPRESSIVE LAWS AND PRACTICES
PARTICULARLY BANTUSTANS AND HOMELANDS;

(D) ACCORD UNCONDITIONALLY TO ALL NAMIBIANS CURRENTLY IN EXILE
FOR POLITICAL REASONS FULL FACILITIES FOR RETURN TO THEIR
COUNTRY WITHOUT RISK OF ARREST, DETENTION, INTIMIDATION,
OR IMPRISONMENT;

6. DECIDES TO REMAIN SEIZED OF THE MATTER AND TO MEET ON
OR BEFORE 30 MAY 1975 FOR THE PURPOSE OF REVIEWING SOUTH
AFRICA'S COMPLIANCE WITH
THE TERMS OF THIS RESOLUTION AND IN THE EVENT OF NON COMPLIANCE BY
SOUTH AFRICA, FOR THE PURPOSE OF CONSIDERING THE APPROPRIATE MEASURES
TO BE TAKEN UNDER THE CHARTER.

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